

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF IOWA

IN RE:

LEO WINSTON REISSETTER

Debtor,

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Case No. 07-02077-LMJ13

MOTION TO MAINTAIN AUTOMATIC STAY

COMES NOW, the Debtor, Leo Winston Reisetter, and moves the Court for an Order to maintain the automatic stay as follows:

1. This voluntary Chapter 13 was filed by the Debtor on June 25, 2007. Relief was ordered on that same day.
2. The Court has jurisdiction of this motion in that it is a Motion concerning the administration of the estate and relates to the automatic stay. The Court has jurisdiction pursuant to 28 U.S.C. §1334. It is a core proceeding as that term is defined in 28 U.S.C. §157.
3. Shortly after filing the Petition, one of the creditors of the Debtor filed a Motion for Relief from Stay seeking relief on certain commercial property. The Debtor resisted the Motion.
4. The Court permitted the stay to remain in effect pending Debtor's payment of additional funds to the Trustee as a form of an adequate protection payment.
5. Because of an unusually slow financial time, the Debtor is now two (2) payments behind in its bankruptcy payments. However, the Debtor

anticipates being caught up in payments over the course of the next three (3) weeks.

6. The bases for maintaining the stay and not turning over the adequate protection payments are that there is a serious and significant dispute in paying this particular creditor. The matter was litigated in District Court and is the subject of an Appeal to the Iowa Court of Appeals
7. The Debtor requests that the Court maintain the stay and permit the Debtor an opportunity to cure the payments within three (3) weeks.

WHEREFORE, the Debtor prays that the Court issue an Order maintaining the automatic stay and permitting the Debtor until June 27, 2008 to cure diligences in payments.

GARTEN & WANEK

BY /s/ Jerrold Wanek
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Certificate of Service

The undersigned hereby certifies that a true copy of the foregoing instrument was served upon the following parties and attorneys at the addresses shown below, and disclosed by the pleadings of record herein, by electronic mail and/or enclosing same in an envelope addressed to each such person, with postage fully paid, and by depositing said envelope in the United States Post Office depository in Des Moines, Iowa, on the 6th day of June 2008.

/s/ Jerrold Wanek
Jerrold Wanek IS9998937

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